NEAL M. GOLDSTEIN, ESQ. CALIFORNIA BAR NO. 82187 2 11400 W. OLYMPIC BOULEVARD, SUITE 600 Los Angeles, CA 90064 TEL: 310/817-6006 3 4 JAY YOUNG, ESQ. NEVADA BAR NO. 5562 HOWARD & HOWARD ATTORNEYS PLLC WELLS FARGO TOWER, SUITE 1000 3800 HOWARD HUGHS PARKWAY LAS VEGAS, NV 89169 Counsel for Defendants Parker and Williams 8 UNITED STATES DISTRICT COURT 9 **DISTRICT OF NEVADA** 10 21st CENTURY COMMUNITIES, 11 INC., a Nevada corporation, Case No. 2:09-cv-2458-RFB-VCF 12 Plaintiff, STIPULATION RE DEFENDANTS' 13 VS. REQUEST FOR EITHER A CHANGE OF 14 MUZLINK, LLC, a California THE DATE FOR THE PRETRIAL limited liability company; PHILLIP CALENDAR CALL OR PERMISSION FOR 15 BRADLEY PARKER, a California **DEFENDANTS' COUNSEL TO APPEAR** VIA TELEPHONE AT SUCH Resident, WAYNE WILLIAMS, a California Resident, DOES I through **PROCEEDING** 16 X; and ROE CORPORATIONS, I through X, inclusive, 17 18 Defendants. 20 1. Defendants Phillip Bradley Parker and Wayne Williams (collectively "Defendants") submit this stipulation seeking either a change of the date and time of the scheduled Calendar Call 21 22 regarding the Trial or for permission for lead counsel, Neal M. Goldstein, to appear for such via 23 telephone. 2. Defendants so request because the Court's recent order sets such Call on 24 Defendants' lead counsel's Mother's 90<sup>th</sup> Birthday (March 21, 2019). 25 26 3. On November 30, 2018, the Court entered the following order: 27 ORDER Granting [161] Stipulation. IT IS ORDERED that 28

Jury Trial is set for 4/1/19 at 9:00 AM in LV Courtroom 7C before Judge Richard F. Boulware, II. IT IS FURTHER ORDERED that Calendar Call is set for 3/21/19 at 3:00 PM in LV Courtroom 7C before Judge Richard F. Boulware, IT IS FURTHER ORDERED that trial briefs,

IT IS FURTHER ORDERED that trial briefs, proposed voir dire, proposed jury instructions, exhibit and witness lists are due by 3/20/19.

- 4. Neal M. Goldstein is lead counsel for the Defendants. His mother turns 90 on March 21<sup>st</sup>, the day on which the Court ordered the final Calendar Call.
- 5. Long before the order was entered, Mr. Goldstein's sibling and mother had arranged to be in the Chicago area to celebrate his Mother's birthday from March 20<sup>th</sup> through March 24<sup>th</sup>. Mr. Goldstein had previously purchased airplane tickets to fly to Chicago on March 20<sup>th</sup> and return on March 24<sup>th</sup>. Mr. Goldstein can be at a Calendar Call on March 19, 2019 or before or the afternoon of March 25<sup>th</sup> or thereafter.
- 6. Mr. Goldstein would like to be present for the Calendar Call applicable to the trial of this matter.
- 7. Defendants request that the Calendar be rescheduled, which is preferable to the Defendants, or that Mr. Goldstein be allowed to appear for the Call via telephone.
- 8. Defendants ask only that the Calendar Call be at a time and in a manner where their counsel can appear and also be available to celebrate with his Mother's 90<sup>th</sup> Birthday. If necessary, counsel asks that he be given permission to appear via telephone, which he can do at the time that the call is presently scheduled. However, as noted, Defendants prefer that the Call be at a time when Mr. Goldstein can be present in the event any issues arise at that time.

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9. Plaintiffs have no objection to a change of the Calendar call as long as su not give rise to a conflict for them.	
2 not give rise to a conflict for them.	uest the
	uest the
By their signatures below, all parties agree and stipulate to the foregoing and req	
4 Court enter an order in accordance therewith:	
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Dated: December 10, 2018  /s/ Neal M. Goldstein Neal M. Goldstein	
7 Attorney for Defendants Parker and William	ns
8 GREENBEERG TRAURIG, LLP	
9 Pru/s/Kara D. Hanriels	
By:/s/Kara .B. Henricks Kara B. Hendricks	
Attorneys for Plaintiff	
12 <u>ORDER</u>	
13 IT IS ORDERED that the Calendar Call in the above captioned matter previously	set for
3/21/19 at 3:00 PM is vacated and continued to March 19, 2019 at 3:00 PM in LV Cou	irtroom 7C.
15 IT IS FURTHER ORDERED that proposed voir dire, proposed jury intructions,	
exhibit and witness lists are due by March 15, 2019; trial brief is due by March 18, 2019.	
17 IT IS FURTHER ORDERED that motions in limine are due by March 11, 2019 w	ith
responses due by March 15, 2019.	
Alternatively, IT IS ORDERED that Neal M. Goldstein, counsel for the De	f <del>endant</del>
in the above captioned action may appear at the Calendar Call in the above caption	<del>red</del>
matter via telephone.	
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RICHARD F. BOULWARE, II	
UNITED STATES DISTRICT JUI	DGE
DATED: <u>December 11, 2018</u> .	
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